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Tito Buencamino, Marie Cervas, James Cox,
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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 SAMUEL BELTON,

Case No. 2:17-cv-03125-RFB-VCF

15 Plaintiff,

16 v.

17 JAMES COX, *et al.*,

**STIPULATION TO WITHDRAW
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT (ECF NO. 29)**

18 Defendants.

20 Plaintiff Samuel Belton, by and through counsel, Michael Hua, Esq., and Defendants
21 Guy Brown, Tito Buencamino, Marie Cervas, James Cox, James Dzurenda, and Jerry
22 Howell (“the NDOC Defendants”), by and through counsel, Aaron D. Ford, Nevada Attorney
23 General, and Katlyn M. Brady, Deputy Attorney General, agree and stipulate to the
24 following:

25 On February 10, 2020, this Court referred this matter for the appointment of pro
26 bono counsel. ECF No. 27.

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On April 8, 2020, Defendants filed a motion for summary judgment. ECF No. 29. To date, no opposition has been filed and this Court has yet to issue an order regarding Defendants' motion.

On October 6, 2020, Michael Hua entered an appearance as pro bono counsel for Samuel Belton. ECF No. 34.

The parties have agreed that it may be necessary to amend the Complaint and reopen discovery in this matter. The parties have additionally agreed that Defendants may refile the motion for summary judgment following the close of discovery. Accordingly, the parties stipulate and agree that Defendants may withdraw their Motion for Summary Judgment (ECF No. 29) and may file a dispositive motion at a later date.¹

DATED this 21st day of October, 2020.

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AARON D. FORD
Attorney General

By: /s/ Michael Hua
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By: /s/ Katlyn M. Brady
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ORDER

For good cause appearing, it is **SO ORDERED** that Defendants' motion for summary judgment (ECF No. 29) is withdrawn. Defendants may refile this motion at a later time.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 21st day of October, 2020

¹ The parties intend to submit a stipulation and order reopening discovery shortly.